UNITED STATES PATENT AND TRADEMARK OFFICE

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UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Application Number: 09/455,964
Filing Date: December 06, 1999
Appellant(s): QIAN ET AL.

_____
Kurt Rohlfs
Reg. No. 54,405
For Appellant

EXAMINER'S ANSWER

This is in response to the appeal brief filed 11/05/2008 appealing from the Office action

mailed 03/14/2006.

(1) Real Party in Interest

A statement identifying by name the real party in interest is contained in the brief.

(2) Related Appeals and Interferences

The examiner is not aware of any related appeals, interferences, or judicial proceedings which will directly affect or be directly affected by or have a bearing on the Board's decision in the pending appeal.

(3) Status of Claims

The statement of the status of claims contained in the brief is correct.

(4) Status of Amendments After Final

The appellant's statement of the status of amendments after final rejection contained in the brief is correct.

(5) Summary of Claimed Subject Matter

The summary of claimed subject matter contained in the brief is correct.

(6) Grounds of Rejection to be Reviewed on Appeal

The appellant's statement of the grounds of rejection to be reviewed on appeal is correct.

(7) Claims Appendix

The copy of the appealed claims contained in the Appendix to the brief is correct.

(8) Evidence Relied Upon

2003/0066085 A1   BOYER et al.   04-2003

(9) Grounds of Rejection

The following ground(s) of rejection are applicable to the appealed claims:

Claim Rejections - 35 USC § 102

1.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2.   Claims 1-12 are rejected under 35 U.S.C. 102(e) as being anticipated by Boyer

et al. (US 2003/0066085 A1).

Regarding claim 1, Boyer discloses providing a program listing information from a

source (internet) different from the video source (figure 3). The Internet program guide

provides user with different options to select an identified video program. If a particular

title icon, channel icon, in the Internet program guide is selected, information such as images (figure 24) of the selected video program is displayed. The information, such as images in the video program, allows user to obtain additional information such as video clips, interview segments, etc. of the selected video (figures 23-24, 28,30, par. 0119- par. 0124). Therefore, the method of creating a semantic summary of the video as claimed in claim 1 is broadly met by Boyer's disclosure as analyzed as discussed below.

"identifying a domain of said video" is broadly met by identifying by time, by channel, by category, etc. of the video (figure 15);

"using said domain to locate information related to said video at a source other than said video;" is broadly met by using by time, by channel, by category, etc., to locate information related to the video from Internet – (e.g. using By TIME - figure 16);

"extracting a datum related to a semantic event from said information, said semantic event describing a portion of said video" is broadly met by extracting a datum of the information related to a semantic event (e.g. datum of the information related to images of video clips, video interview, episodes, etc.) from information of Internet program guide, the images describing video clips, video interview segments, etc. – figures 30, 32-33; par. 0121-par. 0129);

"identifying said portion of said video related to said datum" is broadly met by identifying a portions such as video clips, interview segments, etc. of the selected video (figures 30,32-33, par. 0121-0129; and

"creating a summary of said identified portion of said video in response to the extraction of said datum" is broadly interpreted as creating (by web browser) a summary such as image, title, etc. related to the video clips, interview segments of the video in response to the extraction of datum related to images of video clip, video interview, etc. used to generate title, image, etc. for display on the web page. (figures 30,32-33, par. 0121-0129).

Regarding claim 2, Boyer further discloses title of events in Internet program guide or textual summary of event in information box 236 (figure 16) broadly reads on the claimed feature of "the information is a textual summary of events".

Regarding claim 3, Boyer further teaches the information is included in a worldwide web site (e.g., program guide 218 is a web page provided from web server 86 – figure 3).

Regarding claim 4, Boyer further teaches the information is included in an electronic program guide (figures 16, 20, 22, 26-27, 30).

Regarding claim 5, Boyer further teaches the domain is identified from an electronic program guide (e.g., Time page 218 in figure 16 is identified from program guide option in figure 15 – par. 0102).

Regarding claim 6, Boyer further teaches displaying the summary to a user (e.g. displaying title, image, etc. to user – par. 0119-par. 0129, figures 24, 30, 32-33).

Regarding claim 7, Boyer teaches a method of abstracting video comprising the steps of:

locating an index of the video from a source external to the video (locating video information such as title, running time, channel, etc. of the video from data server 82, figure 3 and par. 0065);

identifying a domain of the video for creating a video abstraction (e.g., identifying By TIME page option of the video for creating a video program guide By Time – figures 15-16, and par. 0089);

using the domain together with the index to identify portions of the video for inclusion in the video abstraction (e.g. using the "By TIME" program guide together with program information such as title, actor, etc. to identify video clips, video interview segments, episode, etc.) for inclusion in video abstraction – figure 16 and par. 0105, par. 0119-par. 0129);

extracting the identified portions of the video from the video to form the video abstraction in response to the location of the index (e.g. extracting video clips, interview segments, etc. and/or data related to video clips, data related to interview segments, from the video program to form video information page in response to the location of title, image, channel, etc. – figures 16, 23, 26, 30, 32-33 and par. 0119-0129); and

displaying the video abstraction to a user (displaying video information pages which contains program title, images related to video clips, interview segments, etc. to user -figures 30,32-33, par. 0121-0129).

Regarding claim 8, Boyer further discloses the index is included in a worldwide web site (program information such as program titles, channels, etc. is included in the Internet pages receives from Internet source– figure 3).

Regarding claim 9, Boyer further teaches the index is included in an electronic program guide (e.g., program title, running time, channel, etc. is included in page 218 – figure 16).

Regarding claim 10, Boyer further teaches the step of identification of the domain by a use of the abstraction (e.g. user selects By Time from program guide- figures 15-16).

Regarding claim 11, Boyer discloses providing a program listing information from a source (internet) different from the video source (figure 3). The Internet program guide comprises textual summary such as title, brief description, etc. of the video program. The Internet program guide provides user with different options to select an identified video program. If a particular title icon, channel icon, in the Internet program guide is selected, information such as images (figure 24) of the selected video program is displayed. The information, such as images in the video program, allows user to obtain additional information such as video clips, interview segments, etc. of the selected video (figures 23-24, 28,30, par. 0119-par. 0124). Therefore, the method of creating a semantic summary of the video as claimed is broadly met by Boyer's disclosure as analyzed as discussed below.

"identifying a domain of said video" is broadly met by identifying by Time, by Channel, by Category, etc. of the video (figure 15);

"using said domain to locate a textual summary of said video;" is broadly met by using by Time, by Channel, by Category, etc., to locate title, brief description, actor,

director, etc. of the identified video in the program guide information–figures

15,16,23,26-28,30-33, par. 0119-0129);

"extracting a datum related to a semantic event relevant to said video summary

from said textual information" is broadly met by extracting a datum related to a semantic

event (e.g. datum of the information related to images of video clips, video interview,

episodes, etc.) from textual information of Internet program guide– figures 30, 32-33;

par. 0121-par. 0129);

"locating content in said video corresponding to said datum; is broadly met by

locating the video clips, interview segments, etc., corresponding to the datum of image

(figures 23-24, 29, par. 0119-0129);

"extracting said content related to said semantic event from said video in

response to extraction of said datum from said video for inclusion in said semantic

summary including at least one portion of said video" is broadly met by extracting the

content/data related to images, video clips, interview segments, etc. from the video in

response to extraction of the datum (for title, video clips, image, etc.) from the video for

inclusion in video summary including video clips, interview segments, image, or video

title, etc. (par. 0119-par. 0129, figures 23-24, 29, 30, 32-33).

Regarding claim 12, Boyer teaches a method of abstracting video comprising the

steps of:

locating an index of the video in at least on of a worldwide web site and a

program guide (locating video information such as title, running time, channel, etc. of a

video from web server 86 and a program guide – figures 3, 16 and par. 0089, par. 0119-par. 0129);

identification of a domain of the video for creating a video abstraction by a user (identification By Time, by Channel, by Category, etc. for creating a video program guide – figures 15-16 and par. 0089, par. 0119-par. 0129);

using the domain together with the index to identify portions of the video for inclusion in the video abstraction (e.g. using By time, By Channel, By Category, etc. together with index (title, running time, channel, images, etc.) to identify video clips, interview segments, description, etc. for inclusion in the video program guide – figures 16, 23-24, 26, 29, 30, 32-33 and par. 0105, par. 0119-par. 0129);

extracting the identified portions of the video from the video to form the video abstraction (e.g. extracting images, description, video clips, title, etc. of the video from the video to form the image, title, video clip, etc. on the pages of video program guide – figures 16, 20, 23-24, 26, 29-30, 32-33, par. 0119-par. 0129).

(10) Response to Argument

Group I - Claims 1-6:

Appellant argues Boyer does not disclose, "creating a summary of said identified portion of said video in response to said extraction of the datum" and Boyer does not disclose creating a summary in response to the extraction of video clips" because Appellant argues the term "create" is defined as "to bring into existence" or to "make

...for the first time" while the actor stills, interviews, and excerpted video clips have all been "created" long before a user navigates the disclosed program guide. Accordingly, the Examiner's rejection of the claims of group I was improper (page 6, paragraphs 2-3, (page 7, paragraph 1).

In response, this argument is respectfully traversed.

It is noted that claim recite "...in response to the extraction of said datum", Claim 1 does not recite "in response to the extraction of video clips".

Boyer discloses a web browser creates and displays web pages that includes summary of the identified portion of video such as images, title, relative to the video clips, interview segments, etc. to the video to the user in response to user selection of the option and extracting the datum from the web site/EPG source to generate and display the video clip, interview, etc. in the web page (see including, but are not limited to, figures 30, 32-33, paragraphs 0105, 0119-0129) (as appellant argues the "create" is defined as "to bring into existence" or to "make for the first time", in the case, the web browser "to bring into existence" into the display screen or to "make for the first time" to display on the television screen the web page . Therefore, the claimed feature of "creating a summary of said identified portion of said video in response to said extraction of the datum" is interpreted as creating (to bring into existence or to make ...the first time on the screen) a summary such as image, title, etc. related to the video clips, interview segments of the video (by web browser for display) in response to the extraction of datum related to images of video clip, video interview, etc. used to generate title, image, video clip, etc. etc. for display on the web page.

It is further noticed that the appellant's specification describes the summarization system create summary information by retrieving summary information, statistic, or other indexing information relating to the events which are the subject of the video 6 from secondary source of information (see figure 1, page 3, lines 1-8, page 5, paragraph 1-15). Thus, this is similar to the teaching in Boyer which disclose creating summary information in a web page for displaying on display screen by processing datum/data from web site/program guide source.

For the reasons given above, the examiner's rejection of the claims of Group I was proper.

Group II - Claims 7-10 and 12.

Appellant's arguments correspond to arguments in the Group I are responded as discussed in the response to Group I above.

In addition, appellant argues if the video clips are already available to be displayed to a user, there is no need to "extract" them from the video...the title information cannot be read as title information when the claims require that the abstraction comprises extracted portions of a video, i.e., it must be made of clips or frames of the video being extracted.

In response, this argument is respectfully traversed.

It is noted that the limitation "abstraction must be made of clip or frames of the video being abstracted" is not recited in the claim 7. The claim recites "extracting the identified portions of the video from the video to form the video abstraction in response

to the location of the index". This limitation is interpreted as extracting, processing, or filtering video clips, interview segments and/or data related to video clip, interview segment, etc. from the video to form video information page comprising extracted, processed, or filtered video clip, interview segment, etc. associated with the selected category or selected time in response to location of title, image, channel" (see figures 16, 23, 26, 30, 32-33, paragraph 0119-0129). The abstraction video is not read as title information. The video abstraction is interpreted as video information page contains program title, images related to video clips, interview segment, etc. - see discussion on page 8 of the Final rejection or figures 30, 32-33, paragraphs 0121-0129).

Furthermore, even though the video clip, interview segment, etc. is available, the video clip, interview segment, etc. and/or datum associated with the video clip, interview segment is extracted, processed, or filtered in order to determined with display a video clip/segment associated with the selected category, time.

Group III – Claim 11

Appellant argues claim 11 merely requires that the portions of the video corresponding to the extracted data be located and extracted for inclusion in a semantic summary, and need not be individually summarized (page 8, paragraph 2).

In response, it is noted the limitation including "...and need not be individually summarized" is not recited in claim 1.

In response to Appellant's arguments all of Applicant's arguments with respect to the Examiner's rejection of the claims of Group I also apply to the rejection of the lciams

of this Group, the Examiner's responses to appellant's arguments in the group I also

applied to Appellant's arguments in this group.

(11) Related Proceeding(s) Appendix

No decision rendered by a court or the Board is identified by the examiner in the

Related Appeals and Interferences section of this examiner's answer.

For the above reasons, it is believed that the rejections should be sustained.

Respectfully submitted,

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